

# BOARD OF REGISTRATION IN PHARMACY

## MEETING MINUTES

October 18, 2011

239 Causeway Street

Boston, Massachusetts

### Board Members

#### Present

Michael Tocco, R.Ph, M.Ed.; Stanley Walczyk, R.Ph.; Karen Ryle, R.Ph., M.S.; Sophia Pasedis R.Ph., Pharm.D; Kathy Fabiszewski, Ph.D, N.P; James T. DeVita, R.Ph.; Steven Budish

#### Board Members Absent

George Cayer, R.Ph; Joanne Trifone. R.Ph.

#### Staff Present

James D. Coffey R.Ph., Director; Margaret Cittadino, M.Ed. Associate Director; Susan Manning, Board Counsel; Leo McKenna, R.Ph., Pharm.D., Quality Assurance (QA) Coordinator; Samuel J. Penta, R.Ph., Supervising Investigator; Cheryl Lathum, R.Ph., Pharm.D., Investigator; William E. Frisch, Jr., R.Ph., Investigator; James Emery, Pharmacy Technician, Investigator, Danny Ko, Northeastern University Intern

1. 8:30 a.m. CALL TO ORDER  
President Stanley B. Walczyk, R.Ph.
2. 8:35 a.m. APPLICATIONS and Other Notices  
Assoc. Dir. Margaret Cittadino

### Change of Manager

Ashburnham Family Pharmacy, 63 Main Street, Ashburnham (DS3314)  
Big Y Pharmacy 27, 62 West Main Street, Spencer (DS3259)  
CVS1896, 486 Pleasant Street, Attleboro (DS2160)  
CVS 321, 95 Washington Street, Canton (DS2989)  
CVS 2283, 715 Morrissey Boulevard, Dorchester (DS2844)  
CVS 594, 105 Davis Straights, Falmouth (DS2839)  
CVS 1851, 776 Water Street, Framingham (DS2088)  
CVS 8906, 575 Broadway, Malden (DS89753)  
CVS 2054, 136 Nahantan Street, Norwood (DS2588)  
CVS 1143, 22 Main Street, North Reading (DS1713)  
CVS 1025, 272 Highland Street, Salem (DS89673)  
CVS 0008, 197 Turnpike Road, Shrewsbury (DS2926)  
CVS 2325, 1025 Central Street, Stoughton (DS2580)  
CVS 1199, 647 VFW Parkway, West Roxbury (DS1981)  
CVS 155, 539 Main Street, Winchester (DS2471)  
CVS 290, 300 Mishawan Road, Woburn (DS21531)  
Eaton Apothecary 2080, 266 Waverly Street, Framingham (DS3511)  
Eaton Apothecary 2085, 162 Cordaville Road, Southborough (DS3567)  
Integrascript Inc, 95B Ashley Ave, West Springfield (DS89726)  
Lynnfield Drug, 12 Kent Way, Byfield (DS89717)  
Pharmahealth Pharmacy, 458 Dartmouth Street, New Bedford (DS3056)  
Rite Aid 10182, 179 Court Street, Plymouth (DS2431)  
Rite Aid 10170, 132 Granite Street, Quincy (DS3132)  
Sam's Club Pharmacy 10 6648, 1110 Fall River Avenue (DS89687)  
Stat-Care, 198 Worcester Street, North Grafton (DS89676)

Sutherland Pharmacy, 1690 Commonwealth Avenue, Brighton (DS4662)  
 Stop & Shop Pharmacy 490, 206 East Washington Street, North Attleboro (DS2284)  
 Walgreens 4393, 54 Elliot Street, Beverly (DS2882)  
 Walgreens 3016, 416 Warren Street, Roxbury (DS2277)  
 Walgreens Infusion Services, 257 Turnpike Road (DS3584)  
 Walmart Pharmacy 10 2227, 777 Brockton Avenue, Abington (DS2977)  
 Walmart Pharmacy 10 2904, 700 Oak Street, Brockton (DS2977)  
 Walmart Pharmacy 10 3491, 70 Pleasant Valley Street, Methuen (DS3072)  
 Walmart Pharmacy 10 1967, 1105 Boston Road, Springfield (DS2737)  
 Walmart 10 2386, 252 Palmer Road, Ware (DS2756)  
 Winchendon Family Pharmacy, 117 Central Street, Winchendon (DS89679)

Renovation Expansion

O'Laughlins Pharmacy, 403 Main Street, Dalton (DS6173)

Transfer of Ownership

TO Lamas Drug, Inc. FROM Barre Family Pharmacy (DS1128), 47 Summer Street, Barre. Will continue to dba Barre Family Pharmacy with new license DS89738.

**Motion** Pasedis/Budish to approve applications

**Recused** DeVita and Tocco for all CVS; Walczyk for O'Laughlins Pharmacy

**Approved**

3. 8:40 a.m. UPDATES

Dir. James D. Coffey/Assoc. Dir. Margaret Cittadino

- Projected Board Meeting Dates 2012
- Wholesale Distributor Renewals
- Drugstore/Pharmacy Renewals
- Board Dispositions

4. 8:50 a.m. REPORT OF OFFICE OF INVESTIGATIONS (no handout)

File Review - Samuel J. Penta, R.Ph. Supervising Investigator; James C. Emery, Investigator; Cheryl Latham, Pharm.D., R.Ph., Investigator; William E. Frisch, Jr., R.Ph., Investigator; Leo A. McKenna, Pharm.D., R.Ph., QA Coordinator

1	PHA-2011-0100 <b>Rite Aid 10213</b> DS2612	<b>Motion</b> to Pasedis/Ryle to Dismiss – No violation <b>Approved</b>
	PHA-2011-0153 <b>Agnes A. Bond</b> PH23187	<b>Motion</b> Pasedis/Tocco for Consent Agreement for Reprimand including MPJE related to CE deficiencies <b>Approved</b>
	PHA-2011-0207 <b>Agnes A. Bond</b> PH23197	<b>Motion</b> Pasedis/Walczyk to Dismiss with Advisory Letter and 2 continuing education (CE) credits in medication error prevention. <b>Approved</b>
2	PHA-2011-0023 <b>Walgreens 4188</b> DS2699	<b>Motion</b> DeVita./Pasedis to Dismiss – No Violation <b>Approved</b>

	PHA-2100-0196 <b>Carolyn Keenan</b> PT9678	<b>Motion</b> DeVita/Tocco to Dismiss with Advisory Letter and 2 CEs in medication error prevention <b>Approved</b>
3	PHA-2010-0232 <b>Stop &amp; Shop 98</b> DS2702  PHA-2011-0246 <b>Kimberly Remy</b> PH22669	<b>Motion</b> Ryle/Pasedis to schedule Investigative Conference for all involved parties <b>Approved</b>
4	PHA-2011-0056 <b>Rite Aid 10182</b> DS2431  PHA-2011-0282 <b>Maressa Barry</b> PH20816	<b>Motion</b> Pasedis/DeVita to Dismiss – No Violation <b>Approved</b>  <b>Motion</b> Pasedis/Tocco to Dismiss with Advisory Letter and 2 CEs in medication error prevention (cardiac dosing if available) <b>Approved</b>
5	PHA-2011-0133 <b>Walmart Pharmacy</b> <b>10-2193</b> DS2752  PHA-2011-0155 <b>Peter Costas</b> PT14113  PHA-2011-0150 <b>Vo Hoang</b> PH22212	<b>Motion</b> Budish/Pasedis to Dismiss – No Violation <b>Approved</b>  <b>Motion</b> Budish/Pasedis to Dismiss – No Violation <b>Approved</b>  <b>Motion</b> Pasedis/Ryle to Dismiss – No Violation <b>Approved</b>
6	PHA-2011-0145 <b>Walmart 10-2903</b> DS2966  PHA-2011-0179 <b>Yesenia Mendosa</b> PT14140  PHA-2011-0146 <b>Aarti Patel</b> PH27413	<b>Motion</b> Tocco/Ryle to Dismiss with Advisory Letter <b>Approved</b>  <b>Motion</b> Tocco/Ryle to Dismiss with Advisory Letter <b>Approved</b>  <b>Motion</b> Ryle/Pasedis to Dismiss with Advisory Letter with conditions related to CE deficiencies <b>Approved</b>
7	PHA-2011-0184 <b>Tim Chin</b> PH17403	<b>Motion</b> Budish/Tocco for Consent Agreement for Reprimand based on discipline in another jurisdiction (ME). <b>Approved</b>
8	PHA-2011-0321 <b>William Hewitt</b> PH18348	<b>Motion</b> Tocco/DeVita for Advisory Letter with 2 law CEs related to discipline in another jurisdiction <b>Approved</b>

9	PHA-2011-0232 <b>Joel Forman</b> PH15309	<b>Motion</b> Tocco/DeVita for Advisory Letter with 2 law CEs related to discipline in another jurisdiction <b>Approved</b>
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5. 11:10 a.m. REPORT OF OFFICE OF GENERAL COUNSEL - Susan Manning, Board Counsel

Matter of **Mario Santiago** – Pharmacy Technician Applicant

Review of September 6, 2011 letter from Patrick J. Murphy, Esq. (with Enclosures) requesting reconsideration of Board decision regarding application.

**Motion** Ryle/Accetta to schedule appearance

**Approved**

11:10 a.m. **Motion** Pasedis/Ryle to enter Closed Session. **Approved**

11:50 a.m. **Motion** Ryle/Tocco to end closed session. **Approved**

CLOSED SESSION – Review/discussion of Complaints and other Legal Matters  
[MGL c. 112, s. 65C; MGL c. 30A, ss. 18-21]

6. 11:30 a.m. DISCUSSION - Continuation of discussion of **Shared Pharmacy Services**  
Revised language was reviewed. Additional revisions will be reviewed at future meeting.

12:00 p.m. Accetta and Fabizewski exit meeting.

7. 12:20 p.m. NEW COMMUNITY PHARMACY APPLICATION/Appearence

PARENTERAL INFUSION ASSOCIATES, LLC DBA CARE POINT  
PARTNERS

Proposed: 116 Long Pond Road, Suite 3, Plymouth, Massachusetts

Present: Richard E. Wagner, Jr., R.Ph. (PH22708), proposed Manager of Record;  
and Karen L. Rowley, General Manager

Applicant for retail pharmacy licensure proposes to dispense Schedule II-VI controlled substances. Applicant has submitted petition for waiver of 247 CMR §6.01(6)(a)(8); §6.01(6)(a)(9); §6.02(4); §9.07(3)(c); §9.01(15); and §9.01(16)

**Motion** Pasedis/Ryle for approval with waivers requested pending compliant inspection

**Approved**

8. 12:45 p.m. REPORT OF OFFICE OF INVESTIGATIONS

File Review – continued

**Recused** Tocco and DeVita (neither member present for discussion or vote of all complaints listed below.

1	PHA-2011-0052 <b>CVS 720</b> DS1003	<b>Motion</b> to Pasedis/Budish Ryle to Dismiss – No violation <b>Approved</b>
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	PHA-2011-0194 <b>Elsie L. Preval</b> PH26271	<b>Motion</b> Pasedis/Tocco for Consent Agreement with Reprimand and requirement to take MPJE. <b>Approved</b>
2	PHA-2011-0024 <b>CVS 1854</b> DS2085  PHA-2100-0157 <b>Valarie O'Sullivan</b> PT23106  PHA-2011-0156 <b>Lauren Cohen</b> PT5296	<b>Motion</b> Ryle/Pasedis to schedule investigative conference with all parties <b>Approved</b>
3	PHA-2010-0227 <b>CVS 1945</b> DS3485  PHA-2011-0192 <b>Nancy Hotton</b> PT4025  PHA-2011-0191 <b>Nicole McCarthy</b> PH23532	<b>Motion</b> Ryle/Pasedis to Dismiss – no violation <b>Approved</b>  <b>Motion</b> Walczyk/Pasedis to Dismiss – no violation <b>Approved</b>  <b>Motion</b> Ryle/Pasedis to Dismiss – no violation <b>Approved</b>
4	PHA-2011-0186 <b>James Pryles</b> PH16751	<b>Motion</b> Ryle/Pasedis to Dismiss with Advisory letter with conditions related to CE deficiencies <b>Approved</b>

## 9. FLEX DISCUSSION


### A. NEW BUSINESS

#### Applications

1. Shina Marie Hines – Pharmacy Technician  
**Motion** DeVita/Tocco to approve application  
**Approved**
2. Ryan Paul Wilkin – Pharmacy Internship  
**Motion** Ryle/Pasedis to approve application  
**Approved**

## 11. 12:30 p.m. ADJOURNMENT

Respectfully submitted by:

  
Margaret Cittadino  
Associate Director

Board approved: December 11, 2012